



# COMMONWEALTH of VIRGINIA

## DEPARTMENT OF ENVIRONMENTAL QUALITY

NORTHERN REGIONAL OFFICE

13901 Crown Court, Woodbridge, Virginia 22193

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[www.deq.virginia.gov](http://www.deq.virginia.gov)

Molly Joseph Ward  
Secretary of Natural Resources

David K. Paylor  
Director

Thomas A. Faha  
Regional Director

February 24, 2015

Larry Bayne  
Lorton Construction Landfill  
10001 Furnace Road  
Lorton, Virginia 22079

VIA EMAIL: [lbayne@esiwaste.com](mailto:lbayne@esiwaste.com)

### INSPECTION REPORT - AREA OF CONCERN

**Re: Lorton CDD Landfill - Solid Waste Permit (SWP) 331  
Compliance Inspection Conducted on February 12, 2015**

Dear Mr. Bayne:

On February 12, 2015, the Virginia Department of Environmental Quality Northern Regional Office conducted an inspection of the Lorton CDD Landfill operating under SWP 331. During this inspection, the facility was evaluated for compliance with the Virginia Waste Management Law and Regulations (9 VAC 20-81-10 *et seq.*) and SWP 331.

During the inspection no apparent violations of SWP 331 or the Virginia Waste Management Law and Regulations (9 VAC 20-81-200.) were observed. However, the following Area of Concern was identified:

*The facility exceeded the compliance level for methane at Boundary Probe GP-10 on the following days: December, 23, 2014, December 30, 2014, January 8, 2015, January 13, 2015, January 20, 2015, January 28, 2015, February 4, 2014, and February 12, 2015.*

This information was discussed with facility representatives during the inspection. Area of Concerns will be re-evaluated during the next inspection to determine whether observed conditions have changed and whether the facility remains in compliance with the statute, regulations, permits, and/or enforcement orders.

If you have any questions; please contact me at (703) 583-3832 or by email at [Jeffrey.modliszewski@deq.virginia.gov](mailto:Jeffrey.modliszewski@deq.virginia.gov).

Respectfully,



Jeffrey Modliszewski  
Solid Waste Inspector

cc: Richard Doucette, DEQ-NRO  
Priscilla D. Fisher, DEQ-CO, Solid Waste Compliance Coordinator  
Brandy L. Mueller, Fairfax County, Chief of the Site and Addressing Center  
File

|                          |
|--------------------------|
| <b>CDD Landfill [SW]</b> |
| <b>Inspection Report</b> |

Facility Name: Lorton Construction Landfill  
Region: Northern Regional Office  
Inspected By: Modliszewski, Jeffrey R

Permit No.: SWP331  
Inspection Date: 12-FEB-15

| Reference           | Description                                       | S   | I | A | V | O |
|---------------------|---|-----|---|---|---|---|
| 10.1-1408.1         | Disclosure Statement                              | I   | X |   |   | 0 |
| 10.1-1408.2         | Operator Certification                            | II  | X |   |   | 0 |
| 20-70-10 et seq.    | Financial Assurance                               | II  |   |   |   | 0 |
| 20-90-10 et seq.    | Permit Action Fees                                | II  |   |   |   | 0 |
| 20-81-80            | Waste Assessment Program                          | I   | X |   |   | 0 |
| 20-81-100.B         | Compliance with the facility's permit             | II  |   |   |   | 0 |
| 20-81-100.E         | Unauthorized waste program and inspection         | II  | X |   |   | 0 |
| 20-81-110.B         | Prohibited waste                                  | II  | X |   |   | 0 |
| 20-81-130           | Facility design / construction                    | I   |   |   |   | 0 |
| 20-81-140.A.1,4     | Safety and fire control                           | II  | X |   |   | 0 |
| 20-81-140.A.6       | Pollutant discharge                               | III |   |   |   | 0 |
| 20-81-140.A.7       | Stormwater control system maintenance             | II  |   |   |   | 0 |
| 20-81-140.A.8,14-15 | Facility operation, maintenance, and training     | II  |   |   |   | 0 |
| 20-81-140.A.9-13    | Hazard and nuisance control                       | I   | X |   |   | 0 |
| 20-81-140.A.16      | Facility self inspections                         | I   | X |   |   | 0 |
| 20-81-140.A.17      | Record maintained of waste received and processed | I   |   |   |   | 0 |
| 20-81-140.C         | Compaction and cover                              | I   | X |   |   | 0 |
| 20-81-160           | Closure requirements                              | II  |   |   |   | 0 |
| 20-81-170           | Post-closure care requirements                    | II  |   |   |   | 0 |
| 20-81-200           | Decomposition gas control                         | II  | X | X |   | 0 |
| 20-81-210           | Leachate control                                  | II  |   |   |   | 0 |
| 20-81-250           | Groundwater monitoring program                    | II  | X |   |   | 0 |
| 20-81-260           | Corrective action program                         | II  |   |   |   | 0 |
| 20-81-485           | Operations Manual                                 | II  | X |   |   | 0 |
| 20-81-530           | Permittee recordkeeping and reporting             | II  |   |   |   | 0 |
| 20-81-610-660       | Special Waste                                     | II  |   |   |   | 0 |

S = Severity Level    I = Inspected    A= Area of concern    V = Alleged violation    O = Occurrences

**CDD Landfill [SW]  
Area of Concern**

| Reference | Comments   |
|-----------|--|
| 20-81-200 | <p>The facility exceeded the compliance level for methane at Boundary Probe GP-10 on the following days: December, 23, 2014, December 30, 2014, January 8, 2015, January 13, 2015, January 20, 2015, January 28, 2015, February 4, 2015, and February 12, 2015. The facility provided the 24-hour notifications and five day reports for the methane compliance exceedances.</p> <p>On December 10, 2014, the facility submitted a revised Landfill Gas Management and Remediation Plan for review. On December 31, 2014, the facility completed a landfill gas interceptor trench along the southern portion of the landfill.</p> |

**CDD Landfill [SW]  
General Comments**

| Reference        | Comments   |
|------------------|--|
| 10.1-1408.1      | Please review the facility's current Disclosure Statement, if the Disclosure Statement is not accurate, revise and submit and updated copy to the DEQ. The September 4, 2014 Disclosure Statement lists the following as Key Personnel: Eric Wallace, Marc Bourhis, Gary Hewes, Kirk Nimtz, James Stenborg, Larry Bayne, and David Howard. |
| 10.1-1408.2      | This facility has two licensed facility operators listed as Key Personnel: Larry Bayne (License Number 4605002098 which expires on December 31, 2016) and David Howard (License Number 4605002135 which expires on April 30, 2015).  |
| 20-81-80         | The 2014 Solid Waste Information and Assessment Program (SWIA) Form DEQ 50-25 is due March 31, 2015.   |
| 20-81-100.E      | The facility documented that it was inspecting 10% of the incoming loads of waste generated outside of Virginia. The facility reviewed a portion of the unauthorized waste program during the weekly safety training.  |
| 20-81-110.B      | The facility maintained a log of the truck loads carrying prohibited wastes which were not accepted into the facility.   |
| 20-81-140.A.1,4  | The facility conducted weekly safety training.   |
| 20-81-140.A.9-13 | Litter was being picked up during the inspection and the facility documented when additional personnel were used to pick up litter.  |
| 20-81-140.A.16   | The facility conducted self inspections on December 29, 2014, and January 30, 2015.  |
| 20-81-140.C      | The facility was operating one working face during the inspection; the facility had an adequate amount of equipment to handle the incoming waste. The landfill's intermediate and working face cover was inspected; no compliance issues were observed.  |
| 20-81-250        | The following groundwater monitoring wells were locked, labeled and in good working condition: MW2, MW2A, MW3, MW4, MW4a, and MW5.   |
| 20-81-485        | Larry Bayne recertified the operations manual on May 1, 2014.  |

**Overall Inspection Comments**

On February 12, 2015, at approximately 9:00 AM Jeffrey Modliszewski a representative from the Virginia Department of Environmental Quality (DEQ) arrived at the Lorton Construction Landfill, SWP 331. The DEQ representative was greeted by Larry Bayne. Mr. Bayne escorted the DEQ representative throughout the compliance inspection. The DEQ staff conducted an exit interview with Mr. Bayne to discuss the findings of the inspection.

**PLEASE advise the Regional Office within 10 calendar days if any information noted in this report is incorrect, if you have taken appropriate action to meet compliance, or if there is other information that the department should consider regarding these alleged violations.**

**PLEASE be advised that this report is not an agency proceeding or determination which may be considered a case decision under the Administrative Process Act ( Va.Code 2.2-4000 et seq). If informal discussions do not lead to a satisfactory conclusion on the contents of this report, you may request in writing that DEQ take all necessary steps to issue a final decision or fact finding under the APA on whether or not a violation has occurred.**

## Modliszewski, Jeffrey (DEQ)

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**From:** Modliszewski, Jeffrey (DEQ)  
**Sent:** Tuesday, February 24, 2015 1:30 PM  
**To:** Larry Bayne  
**Cc:** 'Mueller, Brandy Leigh'  
**Subject:** SWP331  
**Attachments:** SWP331 CIR AOC 2015-02-12.pdf

Larry

I have attached the report from the February 12, 2015 inspection. Thanks for the assistance. Jrm

Jeffrey Modliszewski  
Environmental Specialist II  
Phone: 703-583 3832  
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